

W. Druery

**AFFIDAVIT FOR PROBABLE CAUSE FOR
A COMPLAINT AND ARREST WARRANT**

I, Brent Druery, being duly sworn, do hereby depose and state the following:

INTRODUCTION AND AGENT BACKGROUND

1. I am employed as a Special Agent with Homeland Security Investigations (“HSI”), assigned to the Resident Agent in Charge in Jackson, Mississippi. I have been so employed since November of 2002. I have received training and been assigned to conduct investigations of criminal violations of the United States Code as enumerated in Titles 8, 18, 19, 21, 22, 31 and various other federal statutes.

2. I submit this affidavit based on information known to me personally from the investigation, as well as information obtained from others who have investigated the matter or have personal knowledge of the facts herein. This affidavit is being submitted in support of a criminal complaint against David Gaudencio AGUSTIN-Gabriel, and, as such, does not include all the information known to me as part of this investigation, but only information sufficient to establish probable cause for the issuance of a criminal complaint against David Gaudencio AGUSTIN-Gabriel for violating Title 8, United States Code, Sections 1326(a)(1) and (2), reentry of removed alien.

PROBABLE CAUSE

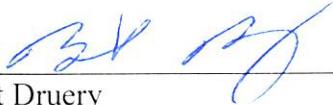
3. On August 7, 2019, Immigration and Customs Enforcement (ICE) executed seven criminal and administrative search warrants at chicken processing company locations across the Southern District of Mississippi. During the execution of the search warrant at Koch Foods, 108 Morris Tullos Drive, Morton, Mississippi 39117, ICE officials encountered David Gaudencio AGUSTIN-Gabriel (Alien # XXXXX6143), an illegal alien from Guatemala. Record checks for AGUSTIN-Gabriel revealed one prior removal by U.S. immigration officials. On or about

October 08, 2009, AGUSTIN-Gabriel was encountered by U.S. immigration officials near Scott County, Mississippi, and was issued a Notice to Appear. He was thereafter removed to Guatemala from New Orleans, Louisiana, on or about November 19, 2009. Queries within ICE databases revealed David Gaudencio AGUSTIN-Gabriel has not received consent from the Attorney General of the United States or Secretary of Homeland Security to apply for readmission, or to re-enter into the United States.

CONCLUSION

5. Based on these underlying facts and circumstances, as set forth above, it is my belief that probable cause exists showing that David Gaudencio AGUSTIN-Gabriel, is a citizen and national of Guatemala, who reentered and was found in the United States after deportation and removal without having first obtained the express consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security, in violation of Title 8, United States Code, Section 1326(a)(1) and (2).

Respectfully submitted,


Brent Druery
Special Agent
Homeland Security Investigations

SWORN to before me on this 15th day of August, 2019.


UNITED STATES MAGISTRATE JUDGE